

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re SMIT et al.

Group Art Unit: 1648

Application No.: 08/807,506

Examiner: Boesen

Filed: February 26, 1997

Attorney Docket No.: 7392/71226

Confirmation No. 5096

Customer No.: 42798

RULE 133 STATEMENT

Date: February 23, 2007

Commissioner for Patents
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicant confirms conversation with the Examiner on 22 February 2007 regarding the requirement for restriction. Applicant confirms that claims 94-111, 133, and 136 and new claims 137-142 were the contingently elected group of claims, subject to all prior traverses of record, which incidentally is what is in the record of this application. (It will be appreciated that such numbered claims are claims are drawn to a method of quantitative structure function analysis on biologically active proteins or peptides, or in other English words: Group I.) Applicants' legal representative related an Applicant's belief that the claims presented herein should be re-formed and re-joined inasmuch as the restriction requirement under traverse does not, as said Applicant understands the inventions, appear to appreciate the technological relationship between the contingently elected claims (claims 94-111, 133, and 136 and new claims 137-142) and the claims 112, 115, 116-119, 120, 121, 123 and 131 and the claims 113, 114, 115, 119, 131 and 135.

Respectfully submitted,



Kendrew H. Colton
Registration No. 30,368
Tel: (202) 419-7000
Fax: (202) 419-7007

Date: February 23, 2007

FITCH, EVEN, TABIN & FLANNERY
One Lafayette Centre
1120 20th Street, NW, Suite 750 South
Washington, DC 20036